

BEFORE THE IDAHO BOARD OF TAX APPEALS

IN THE MATTER OF THE APPEAL OF STELLA) APPEAL NO. 07-A-2044
GRAY from the decision of the Board of Equalization) FINAL DECISION
of Blaine County for tax year 2007.) AND ORDER

RESIDENTIAL PROPERTY APPEAL

THIS MATTER came on for hearing October 16, 2007 in Hailey, Idaho before Board Member David E. Kinghorn. Board Member Lyle R. Cobbs participated in this decision. Appellant Stella Gray appeared for herself. Assessor Valdi Pace and Appraiser Jim Williams appeared for Respondent Blaine County. This appeal is taken from a decision of the Blaine County Board of Equalization denying the protest of the valuation for taxing purposes of property described as Parcel No. RP1M0000000750A.

The issue on appeal is the market value of a residential property.

The decision of the Blaine County Board of Equalization is affirmed.

FINDINGS OF FACT

The assessed homesite value is \$176,000, the patented mineral land value is \$250 and the improvements' valuation is \$41,400, totaling \$217,650. Appellant requests the homesite value be reduced to \$75,000, and the patented mineral land value of \$250 and the improvements value remain the same at \$41,650, totaling \$116,650.

The subject property is an improved one-acre homesite with an additional 49 acres of mineral land, located in Sun Valley, Idaho. The property is improved with a cabin. Only the one-acre homesite assessment is under appeal.

Appellant stated subject's one-acre value had doubled from the prior year and contended this was unfair and not supported.

Appellant claimed subject is not quite an acre and the entire acre was not buildable. The

Taxpayer described subject as approximately 175 x 120, equal to 21,000 square feet or ½ acre of flat, dry useable land. The remainder is slope, hill and subsurface water.

Appellant asserted the comparable sales considered by the County were not mining claims like subject. The comparable sales were located in established subdivisions, and appear to have fully usable one acre homesites.

Taxpayer claimed there is subsurface water on subject and submitted photographs to demonstrate such.

Appellant presented three mining claim sales with sale prices of \$1,570, \$9,864 and \$1,153 per acre for parcels ranging between 40 and 330 acres. The County argued Appellants sales did not have improvements on them and therefore no homesite to value.

The County Appraiser testified subject's 50 acres included a one-acre homesite which was assessed at a market value of \$176,000. The other remaining 49 acres is valued as Mineral Land at \$5 per acre for a total assessed value of \$250. The cabin and any additional improvements have a total assessed value of \$41,400.

Respondent presented assessed values for five mining claim properties to compare with subject. Four (4) of the properties had one-acre homesites assessed between \$200,000 and \$330,000. The fifth property had a two-acre homesite. Two residences were located on this property, for a total homesite value of \$495,000.

The County presented three (3) bare land sales in support of subject's assessed value. The lots were described as sloped and hilly. Land size ranged between 1.850 and 4.550 acres, with sale prices ranged between \$735,000 and \$1,100,000, or between \$241,758 to \$397,297 per acre.

CONCLUSIONS OF LAW

This Board's goal in its hearings is the acquisition of sufficient, accurate evidence to support a determination of fair market value. This Board, giving full opportunity for all arguments and having considered all testimony and documentary evidence submitted by the parties in support of their respective positions, hereby enters the following.

Appellant presented mining claim sales to support subject's proposed valuation, however, the properties did not have residences. Respondent pointed out the properties were not similar to subject and should not be relied upon for comparison. The Board agrees.

Respondent presented sales, however, details describing the adjustments were not explained.

Additionally, Respondent provided assessed values for five (5) one-acre homesites situated on mining claims to show subject was assessed equitably. Assessments can be useful to examine uniformity and equality, however, are not considered good indicators of market value as defined in Idaho Code § 63-201.

"The value of property for purposes of taxation as determined by the assessor is presumed to be correct; and the burden of proof is upon the taxpayer to show by [a preponderance of the evidence] that he is entitled to the relief claimed." Board of County Comm'rs of Ada County v. Sears, Roebuck & Co., 74 Idaho 39, 46-47, 256 P.2d 526, 530 (1953).

No error was shown in Respondent's methodology for assessing subject. Respondent relied on sales to establish market value. The Board finds subject's homesite assessment was fair and will therefore affirm the decision of the Blaine County Board of Equalization.

FINAL ORDER

In accordance with the foregoing Final Decision, IT IS ORDERED that the decision of the Blaine County Board of Equalization concerning the subject parcel be, and the same hereby is, affirmed.

MAILED April 30, 2008